


<p>DEPARTMENT: Compliance</p> <p>POLICY TITLE: CMP01: Covered Entities Compliance With State Laws</p>	 <p>Arizona Priority Care™ <i>One Goal. One Priority. Your Healthcare.</i></p>	
<p>REVIEWED BY: AZPC Compliance Officer</p>	<p>REVIEW DATE: 11/08/2019</p>	<p>EFFECTIVE DATE: 12/01/2019</p>
<p>APPROVED BY: Compliance Committee</p>	<p>APPROVAL DATE: 11/11/2019</p>	

PURPOSE:

To ensure that Arizona Priority Care (AZPC) complies where compliance with state law is required.

POLICY:

It is AZPC’s policy to abide by privacy standards which preempt state laws whenever HIPAA/HITECH privacy requirements are contrary to state law with the following exceptions:

1. State laws that Department of Health and Human Services (HHS) establishes as required to prevent fraud and abuse, to ensure appropriate regulation of insurance and health plans, and which are necessary for state reporting on health care delivery, and other purposes.
2. State laws that relate to controlled substances.
3. State laws that are more stringent than HIPAA/HITECH where state law provides for reporting disease, injury, child abuse, birth, death, or for public health initiatives.

These exceptions will remain in effect until:

1. Either state law or federal regulation, requirement, or implementation specification materially changes.
2. HHS revokes the exception.
3. If the state law is more stringent related to HIPAA/HITECH, the Covered Entity will follow the state requirement.

PROCEDURE:

AZPC abides by HIPAA/HITECH regulations except for the above mentioned exceptions where the state law supersedes.

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1. Any state law considered unclear, whether or not it falls into the exception category, will be reported to the Compliance Officer for clarification.
2. All reported cases will be brought before the Compliance Committee for interpretation.
3. In the event the committee cannot make a clear distinction, the case will be forwarded to counsel for clarification.

DEFINITIONS:

None

REFERENCES:

Heritage Provider Network Policies and Programs
45 C.F.R. §160.203 Privacy Standards

APPENDICES:

None

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DOCUMENT REVISION LOG

Date	Document Modification (including deletions)	Page(s)	Location
11/2019	Transfer to AZPC template	All	All